

ROBERT JAN STEVENSON, Ph.D., 1-8-09

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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W.A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT, C. MILES TOLBERT)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

08:38

08:38

Plaintiff,)

vs.)

4:95-CV-003290-TCK-SAJ

(VOLUME I)

TYSON FOODS, INC., et al.,)

08:38

08:38

Defendants.)

- - - - -

08:38

VOLUME I OF THE VIDEO DEPOSITION OF ROBERT JAN
STEVENSON, Ph.D., produced as a witness on behalf of
the Defendants in the above styled and numbered
cause, taken on the 8th day of September, 2009, in
the City of Tulsa, County of Tulsa, State of
Oklahoma, before me, Karla E. Barrow, a Certified
Shorthand Reporter, duly certified under and by
virtue of the laws of the State of Oklahoma.

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A P P E A R A N C E S

FOR THE PLAINTIFF:

MR. DAVID PAGE
Attorney at Law
502 West 6th Street
Tulsa, OK 74119

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and

MR. ROBERT BLAKEMORE
Attorney at Law
110 West 7th Street
Tulsa, OK 74119

FOR TYSON:

MR. MICHAEL R. BOND
Attorney at Law
234 East Millsap Road
Suite 400
Fayetteville, AR 72703

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FOR CARGILL:

MS. THERESA N. HILL
Attorney at Law
100 West 5th Street
Suite 400
Tulsa, OK 74103

FOR PETERSON FARMS:

MS. NICOLE M. LONGWELL
Attorney at Law
320 South Boston
Suite 700
Tulsa, OK 74103

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FOR GEORGE'S:

MR. JAMES GRAVES
MS. K.C. DUPPS TUCKER
Attorney at Law
221 North College
Fayetteville, AR 72701

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FOR SIMMONS:

MS. VICKI BRONSON
(Via Telephone)
Attorney at Law
211 East Dickson Street
Fayetteville, AR 72701

VIDEOGRAPHER:

MR. JIM LANGLOIS

TULSA FREELANCE REPORTERS
918-587-2878

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1	I N D E X		
2	W I T N E S S	P A G E	
3			
4	ROBERT JAN STEVENSON, Ph.D.		
5	Direct Examination by Mr. Graves	5	08:38
			08:38
6	Reporter's Certificate	315	
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1 (Whereupon, the deposition began at 8:38
2 a.m.)

3 VIDEOGRAPHER: Okay. We are now on the
4 record. This is a deposition taken of Dr. Robert
5 Jan Stevenson. It is Thursday. The date is January 08:39
6 8th. The year is 2009. It's approximately 8:31
7 a.m., and you may swear in the witness

8 ROBERT JAN STEVENSON, Ph.D.,
9 being first duly sworn to tell the truth, the whole
10 truth and nothing but the truth, testified as 08:40
11 follows:

12 MR. GRAVES: Do you need appearances? Do
13 we need to --

14 VIDEOGRAPHER: Yes.

15 MR. PAGE: Yeah. This is David Page 08:40
16 representing the State of Oklahoma.

17 MR. BLAKEMORE: Bob Blakemore for the State
18 of Oklahoma.

19 MR. GRAVES: James Graves and K.C. Tucker
20 for the Georges defendants. 08:40

21 MR. BOND: Michael Bond for Tyson Foods,
22 Tyson Chicken, Tyson Poultry and Cobb-Vantress.

23 MS. HILL: Theresa Hill for Cargill, Inc.,
24 and Cargill Turkey Production, LLC.

25 MS. LONGWELL: Nicole Longwell on behalf of 08:40

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1 we had a very high proportion of the streams had pH
2 concentrations above 9 that I would attribute to
3 algal biomass, and the photosynthesis of the algae
4 pulling bicarbonate and hydrogen ions out of the
5 water, which increases the pH of the water, reduces
6 the hydrogen ion concentration and increases pH.

11:43

7 Q As a part of your work in this case, did you
8 compare the results you were getting for the
9 Illinois River watershed to the results in any of
10 the other watersheds around the state of Oklahoma,
11 for example?

11:44

12 A No, I did not.

13 Q So do you know what the phosphorus
14 concentrations are for the other watersheds in
15 Oklahoma outside of the Illinois River watershed?

11:44

16 A I've heard from -- actually from others
17 describing those reports, Dr. Engel, and I can't
18 remember who else, but the idea that -- and I think
19 there's a USGS report that reports that the
20 concentrations in the Illinois River watershed are
21 something like -- I mean, I remember the phrase,
22 I've not seen the data so I'm hesitant to repeat the
23 phrase, but they're an order magnitude larger than
24 nearby watersheds, and that's close to the
25 perception that I had when I first saw the numbers.

11:44

11:44

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1 Q My question was for all the other watersheds
2 in the state of Oklahoma.

3 A I haven't seen numbers for all the other
4 watersheds, but I'm describing that, yeah, they say
5 that it's much higher than all the other watersheds 11:45
6 in the state of Oklahoma.

7 Q And who is they?

8 A I think it was Dr. Engel that was describing
9 the report, a USGS report that I've not had a chance
10 to review. 11:45

11 Q Do you know which USGS report?

12 A Maybe something by Haggerty. I don't --
13 actually, I don't recall.

14 Q And you're talking about phosphorus
15 concentrations? 11:45

16 A Yeah, in streams within the watershed.

17 Q Have you compared algal biomass in the
18 Illinois River watershed to other watersheds in the
19 state of Oklahoma?

20 A No, I have not. 11:45

21 Q Have you compared dissolved oxygen in the
22 streams in the Illinois River watershed to other
23 streams in the state of Oklahoma?

24 A No, other than comparing them to the state
25 standards. 11:45